

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISION

AMY WEYERTS

V.

SOUTHERN FARM BUREAU LIFE  
INSURANCE COMPANY

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§  
§  
§  
§  
§

CIVIL ACTION NO. 4:19-cv-19

**NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TEXAS:

**1. STATE COURT ACTION**

1.1 Now comes SOUTHERN FARM BUREAU LIFE INSURANCE COMPANY, Defendant in a civil action brought on April 9, 2019, in the 112<sup>th</sup> District Court of State of Texas, County of Pecos, entitled “Amy Weyerts vs. Southern Farm Bureau Life Insurance Company” Cause No. P-12442-112-CV. The citation and petition in this action were served on Defendant, Southern Farm Bureau Life Insurance Company on April 23, 2019. A copy of all process and pleadings filed and/or served in the action is attached.

**2. PARTIES**

2.1 Plaintiff Amy Weyerts is citizen of Texas and an individual residing in Pecos County, Texas.

2.3 Defendant Southern Farm Bureau Life Insurance Company is foreign corporation doing business in Texas.

### **3. JURISDICTION**

3.1 This Court has jurisdiction over the subject matter of this cause, pursuant to 28 U.S.C. § 1332, because this is a civil action in which the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different states.

3.2 Plaintiff is a resident of Texas as plead in her Original Petition. Defendant Southern Farm Bureau Life Insurance Company is foreign corporation formed and existing under the laws of the state of Mississippi. As defendant is diverse from Plaintiff, diversity of citizenship exists.

3.3 Plaintiff expressly alleges in her Original Petition she seeks monetary relief over \$200,000 but not more than \$1,000,000. Based on these allegations, the damages sought are well in excess of \$75,000 and within the federal court's jurisdiction. *See McPhail v. Deere & Co.*, 529 F.3d 947 (10th Cir. Okla. 2008); *Meridian Sec. Ins. Co. v. Sadowski*, 441 F.3d 536 (7th Cir. Ill. 2006); *Luckett v. Delta Airlines, Inc.*, 171 F.3d 295 (5th Cir. La. 1999).

3.4 Therefore, as this court has jurisdiction over this cause pursuant to 28 U.S.C. § 1332, this cause is removable to federal court pursuant to 28 U.S.C. §§ 1441 and 1446.

### **4. VENUE**

4.1 Venue is proper in the Western District of Texas under 28 U.S.C. § 1441(a) because the state district court where venue is proper is in Pecos County, which is located in the Western District of Texas.

### **5. PRAYER**

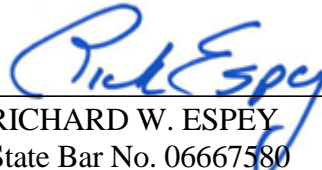
5.1 WHEREFORE, Defendant, Southern Farm Bureau Life Insurance Company, pursuant to these statutes and in conformance with the requirements set forth in 28 U.S.C. § 1446, removes this action for trial from Cause No. P-12442-112-CV; Amy Weyerts vs. Southern Farm

Bureau Life Insurance Company in the 112<sup>th</sup> District Court of State of Texas, County of Pecos on this 20th day of May, 2019.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I certify that on May 20, 2019, a true and correct copy of the foregoing document has been forwarded by facsimile and through the CM/ECF system which will send notification of such filing to the following:

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